econtret 1914 vetat of original 4/10/01 submission

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231, ON APRIL 10, 2001.

AGENT/ATTORNEY FOR APPLICANT

DATE

Attorney Docket No. 1335

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Philip Richard Martin

Date:

April 10, 2001

Serial No.:

09/759,758

Group Art Unit:

1638

Filed

January 12, 2001

Examiner:

For:

"INBRED MAIZE LINE PH5HK"

Assistant Commissioner for Patents Washington, D.C. 20231

## FILING OF AN INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. 61.97(b)

The attached list of citations on PTO Form 1449 is being submitted under the provisions of 37 C.F.R. §1.56 and §1.97(b) in order to comply with the duty of disclosure. Their inclusion herein should not, however, be construed as an admission that any particular cited reference is effective prior art or that it discloses or renders obvious any aspect of the claimed invention. A copy of each cited reference is enclosed. This statement is being filed within the time period specified in 37 C.F.R. §1.97(b). No fee is required.

Respectfully submitted,

Jean M. Bromert
Attorney for Applicant

Registration No. 42,362

PIONEER HI-BRED INTERNATIONAL, INC. Corporate Intellectual Property 7100 N.W. 62<sup>nd</sup> Avenue P.O. Box 1000 Johnston, Iowa 50131-1000

Phone: (515) 253-5870 Facsimile: (515) 334-6883 April 10, 2001

To the United States Patent and Trademark Office Mailroom: Please affix the PTO seal to acknowledge receipt of the following:

Information Disclosure Statement (1 original, 1 copy) IDS Form 1449 (1 original)
Copies of 20 References (1 copy of each)

TITLE:

INBRED MALZE LINE PH5HK

INVENTOR(\$):

PHILIP RICHARD MARTIN

USSN:

09/759,758

FILED: 1/12/01

Thank you. JMB/ner

Case No.:

1335



April 10, 2001

To the United States Parent and Trademark Office Mailroom: Please affix the PTO seal to acknowledge receipt of the following:

Information Disclosure Statement (1 original, 1 copy)
IDS Form 1449 (1 original)
Copies of 20 References (1 copy of each)

TITLE:

INBRED MAIZE LINE PH5HK

INVENTOR(S): PHILIP RICHARD MARTIN

USSN:

09/759,758

FILED: 1/12/01

Thank you. JMB/ner

Case No.:

1335

## ATTORNEYS AT LAW

801 GRAND AVENUE • SUITE 3200 • DES MOINES, IA 50309-2721 PHONE: 515-288-3667 • PAX: 515-288-1338 • www.ipmvs.com

recover

DATE:

January 9, 2004

TO:

Examiner David T. Fox

COMPANY: United States Patent & Trademark Office

PHONE:

(571) 272-0795

FAX:

(571) 273-0795

FROM:

Lila A. T Akrad

NUMBER OF PAGES (Including cover):

APPLICANT:

MARTIN, Philip Richard

SERIAL NO:

09/759,758

FILED

**JANUARY 12, 2001** 

TITLE

INBRED MAIZE LINE PH5HK

Grp./A.U.

1638

Examiner

FOX, David T.

Conf. No.

4872

Docket No. :

P06275US00 PHI 1335

## INFORMATION DISCLOSURE STATEMENT

As per our telephone conversation on January 9, 2004. Thank you for your time.

THE DOCUMENTS ACCOMPANYING THIS FACSIMILE TRANSMITTAL COVER SHEET CONTAIN INFORMATION FROM THE LAW FIRM OF McKEE, VOORHEES & SEASE WHICH MAY BE CONFIDENTIAL AND/OR LEGALLY PRIVILEGED. THE LAW FIRM OF MORRIES & STATE WHICH MAT BE CONFIDENTIAL AND OR LEAGHALT PRIVILEGES. THE DOCUMENTS ARE INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE ADDRESSEE IDENTIFIED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING THESE DOCUMENTS TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS TRANSMITTED INFORMATION IS STRICTLY OF THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS TRANSMITTED INFORMATION IS STRICTLY OF THE MEDICAL PROPERTY PROHIBITED. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY THIS FIRM SO THAT WE CAN ARRANGE FOR THE RETURN OF THE ORIGINAL DOCUMENTS TO US. THANK YOU.

2:15 PM 1/9/04 Transmission Record
Received from remote ID "5152881338"
Unique ID: "DF03FFEB7F508E8"
Elapsed time: 1 minutes, 48 seconds.
Used channel 24.
No ANI data.
AOC: 0, 0, 0
Resulting status code (0/352; 0/0): Success
Pages sent: 1 - 4

								( ) ( )	)			~ cp		
Form PTO 1449-A							1335	N/O.		Application No. 09/759,758				
	INF	0	RMA	TION DISCLOSURE C	TATI	ON	Philip Richard Martin							
			(Us	z saveral sheets if necesso	ary)		January	12, 2001.	1638					
						& FOREIGN	PATENT D	OCUMENTS		CLASS   SUB   FILING				
TERAMER INITIAL	Τ			DOCUMENT NUMBER	ATE			NAME		CLASS	84 84	FILING DATE		
17)}	1			1 6 0 3 9 0 11	185	EP .						14/5/85		
	$\perp$		<u> </u>	OTHERM	NO CUI	MENTS nl-	den turbon Tie	la Desa Paminuni Pogo	s F(c)	<u></u>	L!			
A1 A2	0	ry.		OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)  Conger, B.V., et al. (1987) "Somatic Embryogenesis From Cultured Leaf Segments of Zea Mays", Plant Cell Reports, 6:345-347.  Duncan, D.R., et al. (1985) "The Production of Callus Capable of Plant Regeneration From Immature Embryos of Numerous Zea Mays Genotypes", Planta, 165:322-332.										
A3		1		Edailo, et al. (1981) "Chromosomal Variation and Frequency of Spontaneous Mutation Associated with in Vitro Culture and Plant Regeneration in Maize", Mavdica, XXVI: 39-56.  Green, et al., (1975) "Plant Regeneration From Tissue Cultures of Maize", Crop Science, Vol. 15, pp.										
A4		1		417-421.		_								
<b>A</b> 5		1		Green, C.E., et al. (1982) "Plant Regeneration in Tissue Cultures of Maize" Maize for Biological Research, pp. 367-372.										
A6				Hallauer, A.R. et al. (1988) "Com Breeding" Com and Com Improvement, No. 18, pp. 463-481.										
A7				Meghji, M.R., et al. (1984). "Inbreeding Depression, Inbred & Hybrid Grain Yields, and Other Traits of Maize Genotypes Representing Three Eras", Crop Science, Vol. 24, pp. 545-549.										
A8	$  \uparrow  $	Ì		Phillips, et al. (1988) "Cell/Tissue Culture and In Vitro Manipulation", Com & Corn Improvement, 3rd Ed., ASA Publication, No. 18, pp. 345-387.										
A9	П	1		Poehlman et al., (1995) Breeding Field Crop, 4th Ed., Iowa State University Press, Ames, IA., pp. 132-155 and 321-344.										
A10				Rao, K.V., et al., (1986)"Somatic Embryogenesis in Glume Callus Cultures", Maize Genetics Cooperative Newsletter, No. 60, pp. 64-65										
All		I	•••	Sass, John F. (1977) "Morphology", Corn & Corn Improvement, ASA Publication. Madison, Wisconsin, pp. 89-109.										
A12				Songstad, D.D. et al. (1988) "Effect of ACC (1-aminocyclopropane-1-carboxyclic acid), Silver Nitrate & Norbonadiene on Plant Regeneration From Maize Callus Cultures", Plant Cell Reports, 7:262-265.										
A13		$\ $		Tomes, et al. (1985) "The Effect of Parental Genotype on Initiation of Embryogenic Callus From Elite Maize (Zea Mays L.) Germplasm", Theor. Appl. Genet., Vol. 70, p. 505-509.										
Al4		Ħ		Troyer, et al. (1985) "Selection for Early Flowering in Corn: 10 Late Synthetics", Crop Science, Vol. 25, pp. 695-697.										
A15				Umbeck, et al. (1983) "Reversion of Male-Sterile T-Cytoplasm Maize to Male Fertility in Tissue Culture", Crop Science, Vol. 23, pp. 584-588.										
A16				Wright, Harold (1980) "Commercial Hybrid Seed Production", Hybridization of Crop Plants, Ch. 8: 161-176.										
A17 A18				Wych, Robert D. (1988) "Production of Hybrid Seed", Corn and Corn Improvement, Ch. 9, pp. 565-607.  Lee, Michael (1994) "Inbred Lines of Maize and Their Molecular Markers", The Maize Handbook Ch.										
A19	Ц			65:423-432  Boppenmaier, et al., "Comparsons Among Strains of Inbreds for RFLPs", Maize Genetics Cooperative										
				Newsletter. 65:1991. pg. 90										
A20	I	1		Smith, J.S.C., et al., "The Identification of Female Selfs in Hybrid Maize: A Comparison Using Electrophoresis and Morphology", Seed Science and Technology 14, 1-8										
EXAMINER DATE CONSIDERED														
۵	Decired ) 4 1/9/04													
*EXAMINI	ĒR:	lad	ial if	station considered, whether or	not citat	ion is in conform	ance with MPEP	609: Draw line through a	itation if not in d	conforman	e and no	at considered.		